

FILED UNDER SEAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WAYNE VAN SCOY,)
)
Plaintiff and)
Counterclaim-Defendant,)
)
v.)
)
VAN SCOY DIAMOND MINE OF) Case No. 05-108 (KAJ)
DELAWARE, INC., a Delaware corporation,)
KURT VAN SCOY, and DONNA VAN SCOY,)
)
Defendants and)
Counterclaim-Plaintiffs.)

**ANSWERING BRIEF OF DEFENDANTS VAN SCOY DIAMOND MINE OF
DELAWARE, KURT VAN SCOY & DONNA VAN SCOY TO PLAINTIFF WAYNE
VAN SCOY'S MOTION FOR SUMMARY JUDGMENT AGAINST DEFENDANTS'
CLAIMS OF INVALIDITY AND ABANDONMENT**

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Dated: December 5, 2005

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